APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,135	02/06/2001	James F. Fordemwalt	10002364-1	1457

7590 08/26/2004	EXAMINER
HEWLETT-PACKARD COMPANY	KANG, INSUN

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ART UNIT	PAPER NUMBER
2124	

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/779,135	FORDEMWALT ET AL.
	Examiner	Art Unit	
	Insun Kang	2124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *25 May 2004*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-12 and 14-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-12 and 14-20* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892) ✓

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to the amendment filed 5/25/2004.

2.   As per applicant's request, claim 13 has been cancelled and claim 14 has been

amended. Claims 1-12 and 14-20 are pending in the application.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under
section 122(b), by another filed in the United States before the invention by the
applicant for patent or (2) a patent granted on an application for patent by
another filed in the United States before the invention by the applicant for patent,
except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application
filed in the United States only if the international application designated the
United States and was published under Article 21(2) of such treaty in the English
language.

4.   Claims 1-5, 7-11, 14-18 and 20 are rejected under 35 U.S.C. 102(e) as being

anticipated by U.S. Patent 6,681,392 to Henry et al. hereinafter referred to as "Henry."

Per claim 8:

Henry teaches:

-    providing at least one peripheral installed on a remote computer ("peripheral

     devices...used on the network," col 1 lines 35-41; col. 6 lines 35-67)

-    a device driver being for said at least one peripheral, and said associated

     peripheral software being for said at least one peripheral ("driver software and

other control software required by the peripheral devices," col 1 lines 35-41; see

also col 2 lines 6-8 and 49-53)

- reading a description file associated with said at least one peripheral ("a

script...containing a list of commands...[and] instructions to automatically install

software with specific selections," col 4 lines 56-67; see also col 6 lines 23-34) in

response to an initialization of said device driver during an installation of said

device driver on said client computer ("Standard operating system function calls

are used to access the information needed from the remote system...to

communicate to the driver being initialized on the remote system, that the install

is a remote install," col 5 lines 44-58; col. 4 lines 38-67; col. 5 lines 1-6; col. 6

lines 35-67)

- installing said peripheral software on said client computer in response to an

installation procedure of said peripheral software included in said description file

("The install program sets values in the remote registry signaling to the driver that

the install is a remote install and that any initialization requiring user intervention

must be suppressed; col 5 lines 48-58; "determining which software is to be part

of the installation and which options are to be applied...by executing a script file,"

col 6 lines 21-34; col. 4 lines 38-67; col. 5 lines 1-6)

as claimed.

Per claim 9:

The rejection of claim 8 is incorporated, and further, Henry teaches:

- said initialization comprises an operating system call for said device driver to initialize itself ("Standard operating system function calls are used to access the information needed from the remote system... to communicate to the driver being initialized on the remote system, that the install is a remote install," col 5 lines 44-58) as claimed.

Per claim 10:

The rejection of claim 9 is incorporated, and further, Henry teaches: modifying said device driver to read said description file (col. 4 lines 38-67; col. 5 lines 1-6; "For a remote install... any initialization requiring user intervention must be suppressed," col 5 lines 48-58; see also col 5 lines 1-18; col 6 lines 23-34) as claimed.

Per claim 11:

The rejection of claim 10 is incorporated, and further, Henry teaches that said at least one peripheral is a printer ("printer driver," col 4 line 49) as claimed.

Per claim 1:

Henry teaches:

- invoking a device driver for a peripheral administrated by a remote computer over a network ("Standard operating system function calls are used to access the information needed from the remote system... to communicate to the driver being initialized on the remote system, that the install is a remote install," col 5 lines 44-58; col. 6 lines 35-67)

- installing said associated peripheral software of said peripheral in response to an

  initialization of said device driver by an operating system of said client computer

  (col. 4 lines 38-67; col. 5 lines 1-6 ;"The install program sets values in the remote

  registry signaling to the driver that the install is a remote install and that any

  initialization requiring user intervention must be suppressed; col 5 lines 48-58;

  "determining which software is to be part of the installation and which options are

  to be applied...by executing a script file,"   col 6 lines 21-34; col. 6 lines 35-67)

  as claimed.

Per claim 2:

The rejection of claim 1 is incorporated, and further, Henry teaches:

- reading an associated description file of said peripheral in response to said

  initialization of said device driver ("a script...containing a list of commands...[and]

  instructions to automatically install software with specific selections," col 4 lines

  38-67; col. 5 lines 1-6 ; see also col 6 lines 23-34; see also col 5 lines 44-58)

- said associated description file including a name of said associated peripheral

  software and an installation procedure ("a script is a list of instructions to

  automatically install software with specific selections," col 4 lines 56-67; see also

  col 6 lines 21-34)

- installing said associated peripheral software according to said installation

  procedure on said client computer (col. 4 lines 38-67; col. 5 lines 1-6;"The install

  program sets values in the remote registry signaling to the driver that the install is

  a remote install and that any initialization requiring user intervention must be

suppressed; col 5 lines 48-58; "determining which software is to be part of the

installation and which options are to be applied...by executing a script file,"   col 6

lines 21-34)

as claimed.

Per claim 3:

The rejection of claim 1 is incorporated, and further, Henry teaches:

said initialization comprises an operating system call for said device driver to

initialize itself ("Standard operating system function calls are used to access the

information needed from the remote system...to communicate to the driver being

initialized on the remote system, that the install is a remote install," col 5 lines 44-58)

as claimed.

Per claim 4:

The rejection of claim 2 is incorporated, and further, Henry teaches:

modifying said device driver to read said associated description file (col. 4 lines 38-67;

col. 5 lines 1-6 ;"For a remote install...any initialization requiring user intervention must

be suppressed," col 5 lines 48-58; see also col 5 lines 1-18; col 6 lines 23-34)

as claimed.

Per claim 5:

The rejection of claim 1 is incorporated, and further, Henry teaches that said

peripheral is a printer ("printer driver," col 4 line 49) as claimed.

Per claim 7:

The rejection of claim 1 is incorporated, and further, Henry teaches initiating installation

of said peripheral by selecting a UNC path name configured to represent said peripheral

("a universal naming convention (UNC) is used," col 5 lines 19-40) as claimed.

Per claim 14:

Henry teaches:

-a memory coupled to said at least one processor of said client computer; at least one

peripheral with said device driver and said associated peripheral software installed on a

remote computer, wherein said device driver and said associated peripheral software is

retrieved from said remote computer and stored in said memory ("remotely installing

peripheral software such as drivers and utilities on a system over a network," col 2 lines

5-15), said device driver being configured to be executed by said at least one processor

(col. 4 lines 38-67; col. 5 lines 1-6; "Standard operating system function calls are used

to access the information needed from the remote system...to communicate to the

driver being initialized on the remote system, that the install is a remote install," col 5

lines 44-58; col. 6 lines 35-67)

- said at least one processor is further configured to read a description file in response

to an initialization of said device driver during an installation of said device driver on said

client computer (col. 4 lines 38-67; col. 5 lines 1-6; "Standard operating system function

calls are used to access the information needed from the remote system...to

communicate to the driver being initialized on the remote system, that the install is a
remote install," col 5 lines 44-58; "The install program sets values in the remote registry
signaling to the driver that the install is a remote install and that any initialization
requiring user intervention must be suppressed; col 5 lines 48-58; "determining which
software is to be part of the installation and which options are to be applied...by
executing a script file,"   col 6 lines 21-34; col. 4 lines 38-67; col. 5 lines 1-6)
as claimed.

Per claim 15:

The rejection of claim 14 is incorporated, and further, Henry teaches that said
initialization is configured to invoke an initialization entry point configured to point to said
description file ("Standard operating system function calls are used to access the
information needed from the remote system...to communicate to the driver being
initialized on the remote system, that the install is a remote install," col 5 lines 44-58;
"For a remote install...any initialization requiring user intervention must be suppressed,"
col 5 lines 48-58; see also col 5 lines 1-18; col 6 lines 23-34; "The install program sets
values in the remote registry signaling to the driver that the install is a remote install and
that any initialization requiring user intervention must be suppressed; col 5 lines 48-58;
"determining which software is to be part of the installation and which options are to be
applied...by executing a script file,"   col 6 lines 21-34; col. 4 lines 38-67; col. 5 lines 1-
6) as claimed.

Per claim 16:

The rejection of claim 14 is incorporated, and further, Henry teaches that said at

least one processor is further configured to install said associated peripheral software

according to an installation procedure included in said description file ("The install

program sets values in the remote registry signaling to the driver that the install is a

remote install and that any initialization requiring user intervention must be suppressed;

col 5 lines 48-58; "determining which software is to be part of the installation and which

options are to be applied...by executing a script file," col 6 lines 21-34; col. 4 lines 38-

67; col. 5 lines 1-6)

as claimed.

Per claim 17:

The rejection of claim 16 is incorporated, and further, Henry teaches that said

initialization comprises an operating system call for said device driver to initialize itself

("Standard operating system function calls are used to access the information needed

from the remote system...to communicate to the driver being initialized on the remote

system, that the install is a remote install," col 5 lines 44-58)

as claimed.

Per claim 18:

The rejection of claim 17 is incorporated, and further, Henry teaches that said

peripheral is a printer ("printer driver," col 4 line 49) as claimed.

Per claim 20:

The rejection of claim 17 is incorporated, and further, Henry teaches said at least

one processor is further configured to install said device driver and said associated

peripheral software in response to a selection of a UNC path name representing said at

least one peripheral ("a universal naming convention (UNC) is used," col 5 lines 19-40).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

6.   Claims 6, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Patent 6,681,392 to Henry et al. hereinafter referred to as "Henry" in view of

Applicant's Admitted Prior Art (hereinafter referred to as "APA") disclosed in the instant

application.

Per claims 6:

The rejection of claim 1 is incorporated, and further, Henry does not explicitly

teach initiating installation of the peripheral by activating an icon representing the

peripheral as claimed. APA discloses that it was known in the art of software distribution

and installation, at the time applicant's invention was made, to install a peripheral device remotely such as those disclosed in Henry, by using an icon representing the peripheral ("Any user on the network may install a device driver for a selected peripheral by selecting an icon representing that peripheral," pg 3 lines 1-9 in APA) so that selection of the desired device to install and locating its device driver can be easily accomplished. It would have been obvious for one of ordinary skill in the art of computer software development and distribution to modify Henry's disclosed system to use an icon disclosed in APA for initiating installation of the peripheral by simply clicking the icon representing the peripheral. The modification would be obvious because one of ordinary skill in the art would be motivated to use an icon so that installation of network peripheral can be done easily without requiring a user to search the desired peripheral and the location of its device driver.

Per claim 12:

It is another method version of claim 6, respectively, and is rejected for the same reasons set forth in connection with the rejection of claim 6 above.

Per claim 19:

It is the system version of claim 6, respectively, and is rejected for the same reasons set forth in connection with the rejection of claim 6 above.

Response to Arguments

7.   Applicant's arguments filed 5/25/2004 have been fully considered but they are

not persuasive.

Per claim 1:

1) The Applicant recites that "peripheral software" is specifically defined in the

specification as "any manufacturer provided software designed to accompany a device

driver for a peripheral." The specification further defines peripheral software as:

" Peripheral software may be configured to extend the capabilities of or access to the associated device

driver...an application to provide...TCP/IP...support for the peripheral...for the printer (specification, page

3 lines 10-19)."

In response to applicant's argument that the reference fails to show certain

features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., any manufacturer provided software designed to accompany a device driver for a

peripheral) are not recited in the rejected claim(s). Although the claims are interpreted

in light of the specification, limitations from the specification are not read into the claims.

See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). As such, the

claims are read with the broadest reasonable interpretation in mind (Note MPEP 2111).

Further, Henry discloses installing peripheral software ("When we say "peripheral

software" we mean any software, such as drivers and utilities, which enables a

peripheral device or network connection to operate with a specific computer system,"

col. 3 lines 56-65 and col. 2 lines 47-53; " a network printer is the peripheral for which

software is being installed, so the software includes printer drivers and network utilities.

Either or both of these types of software may be installed according to certain

installation options," col. 4 lines 46-51).

2) The Applicant recites that:

"There is nothing in Henry that teaches or suggests initializing a driver on the client computer somehow

triggers installing other peripheral programming on the client computer, in general, and more specifically,

manufacturer provided software designed to accompany a device driver for a peripheral. That is to say,

Henry does not anticipate or make obvious installing peripheral software in response to initialization of the

device driver on the client computer as required in Claim 1 (page 9)

In response to the applicant's argument, it is noted that the applicant uses two

terms that are similar in meaning but different in scope. The term "trigger" implies that

something is a direct and usually automatic cause of something else while "in response

to" means that it could be a more causal relationship between the events (See the

dictionaries recited: Webster's II and Your dictionary.com.). "Trigger" indicates that the

initialization sets the installation off, brings the installation about, makes the installation

happen or causes an automatic or manual pulse or signal for the installation operation

to start while "in response to" does not necessarily imply that the installation operation is

caused to start by the initialization. Although the applicant argues that initializing a

driver on the client computer somehow triggers installing other peripheral programming,

the claim uses the term "in response to:" "invoking the device driver... and installing the

associated peripheral software... in response to an initialization of the device driver by

an operating system of the client computer." Therefore, the installation may be

performed in response to the initialization but the initialization may not cause may not

necessarily cause the installation operation to start.

Henry discloses, "system function calls are used to access the information

needed from the remote system. It is necessary... to communicate the driver being

initialized on the remote system that the install is a remote install. Certain drivers

perform initialization routines... that required user intervention during the install process.

For a remote install, such process needs to be suppressed. The install program sets

values in the remote registry signaling to the driver that the install is a remote install and

that any initialization requiring user intervention must be suppressed (col. 5 lines 50-

58)." It is clear that the driver initialization is performed excluding any initialization

requiring user intervention because the install is a remote install and the installation is

performed accordingly in response to the initialization for a remote install.

Also, Henry specifically teaches that "software and options for installation on

the remote system are determined....a network printer is the peripheral for which

software is being installed, so the software includes printer drivers and network utilities.

Either or both of these types of software may be installed according to certain

installation options... a user can select these options once and save them as a script,"

col. 4 lines 46-67). Henry defines that "a script is a name for a macro or batch file

containing a list of commands that can be executed without user interaction... a script is

a list of instructions to automatically install software with specific selections. Such a

method of determining options is useful if a network administrator must install the same

software, drivers, and utilities with the same options on a large number of a remote computer system. Buttons are provided to choose a script install and to select a script at the beginning of an installation routine. It is even possible to create a script that installs peripheral software on many computers simultaneously without user intervention," col. 4 lines 56-67 and col. 5 lines 1-6). Therefore, Henry's disclosed method is capable of directing or triggering the script to be read to install the software in response to the initialization of the driver.

Therefore, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

3) The Applicant recites that:

Suppressing processes that require user intervention...from Henry, has no relevance to the installing element of Claim 1. The fact that Henry's installation program might signal the driver to suppress such processes during initialization says nothing about installing peripheral software in response to initialization of the driver. If the Examiner disagrees, he is respectfully requested to explain the relevance of suppressing processes that required user intervention to installing peripheral software in response to initialization of the driver (page 10)

In response to the applicant's request for the examiner's explanation regarding the relevance of suppressing processes, it is noted that Henry recites, "system function calls are used to access the information needed from the remote system. It is necessary...to communicate the driver being initialized on the remote system that the install is a remote install. Certain drivers perform initialization routines, such as inkjet head alignment, that required user intervention during the install process. For a remote install, such process needs to be suppressed. The install program sets values in the remote registry signaling to the driver that the install is a remote install and that any initialization requiring user intervention must be suppressed (col. 5 lines 50-58)." It is clear that the driver initialization is performed excluding any initialization requiring user intervention because the install is a remote install and the installation is performed accordingly in response to the initialization for a remote install. Henry does not indicate that the initialization that does not require user intervention during the install process must be suppressed.

4) The Applicant recites that:

Henry's script file contains a list of pre-selected programs to be installed. The script runs on the server computer as part of the installation software. Nothing in Henry suggests the installation of one program on the list is triggered by the initialization on the client computer of a driver or any other program on the list.

In response to the applicant's argument that Herny does not suggest the "installation of one program is triggered by the initialization on the **client computer** of a driver or any other program on the list," In a communications network, the client is the requesting device and the server is the supplying device (see the Authoritative

Dictionary of IEEE recited). A computer can function either as a client or a server on network depending on what it performs. Henry teaches that a server can be a client and vice versa. Henry specifically recites that "a system administrator can install drivers and network utilities on remote system 804 to allow it to make use of network peripheral 803, a printer...The system administrator can also use the invention at 802 to install peripheral software on remote system 808 for local peripheral 809(col. 6 lines 45-53; see Fig 8)" and "It is necessary...to communicate the driver being initialized on the remote system that the install is a remote install (col. 5 lines 50-58)." Therefore, Henry discloses the remote system functioning as a client as well.

Accordingly, in view of the broadest reasonable interpretation above, Henry discloses the claim limitations in claim 1. Therefore, the rejection of claim 1 is considered proper and maintained.

Per claims 2-7:

Applicant recites, "claims 2-7 are also felt to distinguish patentably over Henry due to their dependence on Claim 1." The applicant fails to discuss the references applied against the claims, explaining how the claims avoid the references or distinguish from them and to point out disagreements with the examiner's contentions. As has been shown above, the rejection of independent claim 1 by Henry are proper, the argument that claims 2-7 are allowable as being dependent on an allowable base claim

is considered moot. Accordingly, the rejections of claims 2-7 are proper and

maintained.

Per claims 4 and 10:

Applicant states:

Henry does not teach or suggest modifying the driver to read the description file (the description file

includes a name of the peripheral software and an installation procedure). The Examiner asserts that

Henry's script file is the claimed description file...Even if it is assumed the assertion is correct, it is clear

that Henry does not modify a driver to read the script file. Rather the script file is read by the installation

program. For this additional reason, Claim 4 distinguishes patentably over the Henry (page 11).

Henry specifically teaches that "software and options for installation on the

remote system are determined....a network printer is the peripheral for which software

is being installed, so the software includes printer drivers and network utilities. Either or

both of these types of software may be installed according to certain installation

options...a user can select these options once and save them as a script," col. 4 lines

46-67). Henry defines that "a script is a name for a macro or batch file containing a list

of commands that can be executed without user interaction...a script is a list of

instructions to automatically install software with specific selections. Such a method of

determining options is useful if a network administrator must install the same software,

drivers, and utilities with the same options on a large number of a remote computer

system. Buttons are provided to choose a script install and to select a script at the

beginning of an installation routine. It is even possible to create a script that installs

peripheral software on many computers simultaneously without user intervention," col. 4

lines 56-67 and col. 5 lines 1-6). The script lists the user-defined installation instructions

for the peripheral software and Henry recites that both drivers and utilities may be

installed. Therefore, Henry's disclosed method is capable of directing or modifying the

driver to read the script that lists the installation instruction of the utilities.

Therefore, a recitation of the intended use of the claimed invention must result in

a structural difference between the claimed invention and the prior art in order to

patentably distinguish the claimed invention from the prior art. If the prior art structure is

capable of performing the intended use, then it meets the claim. In a claim drawn to a

process of making, the intended use must result in a manipulative difference as

compared to the prior art. See In re Casey, 152 USPQ 235 (CCPA 1967) and In re

Otto, 136 USPQ 458, 459 (CCPA 1963).

Accordingly, in view of the broadest reasonable interpretation above, Henry

discloses the claim limitations in claims 4 and 10. Therefore, the rejections of claims 4

and 10 are considered proper and maintained.

Per claims 8 and 14,

The applicant recites:

The Examiner asserts that Henry's script file is the claimed description file...Even if it is assumed the

assertion is correct, it is clear that Henry does not read the script file in response to initialization of the

driver. The examiner seems to suggest that the "response" limitation in this element of Claim 8 is met in

Henry by signaling the driver that the installation is a remote installation and that any installation requiring

user intervention must be suppressed ...Nothing in this passage of Henry (or anything else in Henry)

suggests reading the script file in response to initialization of the driver. The fact that Henry's installation

software might signal the driver to suppress processes requiring user intervention says nothing about

reading the script file in response to driver initialization (page 11)

This has been addressed above.

Accordingly, in view of the broadest reasonable interpretation above, Henry discloses

the claim limitations in claims 8 and 14. Therefore, the rejections of claims 8 and 14 are

considered proper and maintained.

Per claims 9-12 and 15-20:

The applicant states that claims 9-12 and 15-20 are allowable as being dependent on

allowable base claims. The applicant fails to discuss the references applied against the

claims, explaining how the claims avoid the references or distinguish from them and to

point out disagreements with the examiner's contentions. As has been shown above,

the rejection of independent claims 8 and 14 by Henry are proper, the argument that

claims 9-12 and 15-20 are allowable as being dependent on an allowable base claim is

considered moot. Accordingly, the rejections of claims 9-12 and 15-20 are proper and

maintained.

Conclusion

8.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Insun Kang whose telephone number is 703-305-6465.

The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kakali Chaki can be reached on 703-305-9662. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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